HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

R.S.A No.3134 of 2004
Date of decision : 15.5..2007.

Pal Kaur .....Appellant

versus

Shinda and others .....Respondents

CORAM : HON'BLE MR. JUSTICE HEMANT GUPTA.

Present : Mr.G.S.Sandhawalia, Advocate for the appellant.

* * *

ORDER

HEMANT GUPTA, J.

The plaintiff is in second appeal aggrieved against the judgment and decree passed by the Courts below whereby suit for declaration claiming the estate of Makhan Singh to the exclusion of defendant, was dismissed.

The defendant is the mother of Makhan Singh. The plaintiff has claimed that on account of remarriage of the defendant, she is not entitled to estate of Makhan Singh. Though the appellant has disputed that the defendant was not the natural mother of Makhan Singh, but a concurrent finding has been recorded by both the Courts below that Makhan Singh was the natural son of defendant. Still further, it has been held that remarriage of the defendant carries no disqualification under Section 24 of the Hindu Succession Act, 1956.

The said finding recorded by the Courts below cannot be said to be suffering from any patent illegality or irregularity which may

raise any substantial question of law for consideration of this Court in second appeal.

The appeal stands dismissed.

(HEMANT GUPTA)
JUDGE

May 15, 2007
**mohinder*